

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

MYRIAM ESTHER BENITEZ DAVILA

Case No. 13-05911-MCF

Chapter 13

Attorney Name: JUAN O CALDERON LITHGOW*

I. Appearances Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent Joint Debtor <input type="checkbox"/> Present <input type="checkbox"/> Absent Attorney for Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent <input type="checkbox"/> Prose <input type="checkbox"/> Appearing:	Date & Time: 8/20/2013 1:57:00PM <input checked="" type="checkbox"/> R <input type="checkbox"/> NR LV: \$450 (PV: \$522) <input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing. Creditors: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <u>Yazmin Vazquez, Esq.- Alicia Sanjurjo as executor of Sucession Carlos Sanjurjo</u> <u>Ericsson Sanchez Preks, Esq.- Alicia Sanjurjo as executor of Sucession Carlos Sanjurjo and to creditor Aldarondo & Giraldo</u> </div>
II. Oath Administered <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
III. Plan Date: 07/21/2013 Base: \$3,600.00 Payments 0 made out of due. Confirmation Hearing Date: 9/20/2013 1:30:00PM Evidence of Pmt shown:	
Attorney's fees as per R. 2016(b) \$3,000.00 - \$400.00 = \$2,600.00	
IV. Status of Meeting <input type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued <input type="checkbox"/> Held/Not Closed <input checked="" type="checkbox"/> Continued Continued Date: 9/10/2013 2:30:00PM Comments:	
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☐ UNFAVORABLE

☐ Feasibility
☐ Insufficiently funded
☐ Unfair discrimination
☐ Fails disposable income
☐ Fails liquidation value test
☐ Insuarence quote

☐ No provision for secured creditor(s)

☐ Tax returns missing
 ☐ State - years

☐ Federal - years

Pending/Items/ Documents:

☐ DSO Recipient's Information

☐ Evidence of being current with DSO

☐ Evidence of income

☐ Monthly reports for the months

☐ Public Liability Insurance
 ☐ Premises
 ☐ Vehicle(s):
 ☐ Licenses issued by:

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Trustee's objection to confirmation

☐ Objection to Confirmation

☐ Oral objection by creditor

Although this meeting was held, trustee is continuing it in order to have an opportunity to question the debtor as to the following issues that need to be addressed by debtor. Additionally, appearing creditor informed the intention to make additional questions.

The issues to be addressed by debtor are the following:

1- Debtor to provide copy of the homestead deed. Also Schedule C has to indicate that property is debtor's principal residence and that debtor executed and presented at the Registry of Property the homestead deed prior to the filing of the petition.

2- Debtor to amend Schedule D to delete mortgage debt of BPPR and Money House. Debt was liquidated about last year.

3- Debtor provide documentation to verify nature of debtor's disputed debt to the members of Succession Car

4-Debtor to disclose in SOFA, Item #3 lawsuit that ended in 2012 where she obtained \$40,000.00 and \$25,000 from a lawsuit.

5-Provide statement with details of how debtor used the proceeds obtained from the lawsuit mentioned today. Provide evidence of the expenses debtor paid with the proceeds obtained.

6- Debtor to amend Schedule I to disclose correct amount of social security benefits. Debtor receives \$944.00 and the schedule discloses \$1,028.00. This discrepancy creates a feasibility problem in the plan that needs to be addressed by debtor.

7- Debtor to specify why this case should not be converted since debtor's distribution to unsecured creditors is a minimal 2%.

8- Debtor to justify why plan has been filed in good faith when from the \$3,600 base and \$2,600 of said base will be for debtor's attorney's fees.

The following party(ies) object(s) confirmation:

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s/Miriam Salwen

Date: 08/20/2013

Trustee/Presiding Officer

(Rev. 05/13)